

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 12-6133**

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MARVIN J. MOODY,

Plaintiff - Appellant,

v.

TODD P. PERSEGHIN, Detective R.P.D. #2985,

Defendant - Appellee,

and

CAITLIN R. KELLEY, Assistant Commonwealth Attorney;  
CLARENCE N. JENKINS,

Defendants.

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Appeal from the United States District Court for the Eastern  
District of Virginia, at Alexandria. Gerald Bruce Lee, District  
Judge. (1:11-cv-00927-GBL-JFA)

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Submitted: May 18, 2012

Decided: June 6, 2012

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Before AGEE, DAVIS, and DIAZ, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Marvin J. Moody, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Marvin J. Moody seeks to appeal the district court's order denying his motion to reconsider the dismissal of Defendant Caitlin R. Kelley from this action under 42 U.S.C. § 1983 (2006). This court may exercise jurisdiction only over final orders, 28 U.S.C. § 1291 (2006), and certain interlocutory and collateral orders, 28 U.S.C. § 1292 (2006); Fed. R. Civ. P. 54(b); Cohen v. Beneficial Indus. Loan Corp., 337 U.S. 541, 545-46 (1949). The order Moody seeks to appeal is neither a final order nor an appealable interlocutory or collateral order, as it disposes of fewer than all the parties involved in this lawsuit. Accordingly, because this matter remains pending against Defendant Todd B. Perseghin, we dismiss the appeal for lack of jurisdiction. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

DISMISSED